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MONDAY, April 3, 1775.

To the Inhabitants of the Colony of MASSACHUSETTS-BAY.

MY FRIENDS, see page 702.

GIVE me leave now to descend from these general matters, to Massachusettensis. He says "Ireland who has perhaps the greatest possible subordinate legislature, and send no members to the British parliament, is bound by its acts, when expresly named."—But if we are to consider what ought to be, as well as what is, why should Ireland have the greatest possible subordinate legislature? Is Ireland more numerous and more important to what is called the British empire, than America? Subordinate as the Irish legislature is said to be, and a conquered country as undoubtedly it is, the parliament of Great-Britain, altho' they claim a power to bind Ireland by statutes, have never laid one farthing of a tax upon it. They knew it would occasion resistance if they should.—But the authority of parliament to bind Ireland at all, if it has any, is founded upon a different principle entirely from any that takes place in the case of America. It is founded on the consent and compact of the Irish by Poyning's law to be so governed, if it has any foundation at all: and this consent was given and compact made in consequence of a conquest ——

In the reign of Henry 2d of England, there were five distinct sovereignties in Ireland, Munster, Leinster, Meath, Ulster and Connaught, besides several small tribes. As the prince of any one of these petty states took the lead in war, he seemed to act for the time being, as monarch of the island.—About the year 1172 Rodoric O'Connor, king of Connaught, was advanced to this pre-eminence.—Henry, had long cast a wishful eye upon Ireland, and now partly to divert his subjects from the thoughts of Becket's murder, partly to appease the wrath of the Pope for the same event, and partly to gratify his own ambition, he lays hold of a pretence, that the Irish had taken some natives of England and sold them for slaves, applies to the Pope for license to invade that island. Adrian the 3d, an Englishman by birth, who was then pontiff, and very clearly convinced in his own mind of his right to dispose of kingdoms and empires, was easily perswaded, by the prospect of Peter's pence, to act as emperor of the world, and make an addition to his ghostly jurisdiction of an island which tho' converted to christianity had never acknowledged any subjection to the see of Rome. He issued a bull, premising that Henry had ever shewn an anxious care to enlarge the church, and increase the saints on earth and in Heaven, that his design upon Ireland proceeded from the same pious motives: that his application to the holy see, was a sure earnest of success: that it was a point incontestible, that all christian kingdoms belonged to the patrimony of St. Peter; that it was his duty to sow among them the seeds of the gospel, which might fructify to their eternal salvation; he exhorts Henry to invade Ireland, exterminate the vices of the natives, and oblige them to pay yearly from every house a penny to the see of Rome: gives him full right and entire authority over the whole island, and commands all to obey him as their sovereign.

Macmorrogh, a licentious scoundrel, who was king of Leinster, had been driven from his kingdom, for his tyranny, by his own subjects, in conjunction with Ororic, king of Meath, who made war upon him for committing a rape upon his queen; applied to Henry for assistance, to restore him, and promised to hold his kingdom in vassalage of the crown of England. ——

Henry accepted the offer, and engaged in the enterprise.—It is unnecessary to recapitulate all the intrigues of Henry, to divide the Irish kingdoms among themselves and set one against another, which are as curious as those of Edward the first, to divide the kingdom of Wales and play Lewelyn's brothers against him, or as those of the ministry, and our junto, to divide the American colonies, who have more sense than to be divided.—It is sufficient to say that Henry's expeditions, terminated, altogether by means of those divisions among the Irish, in the total conquest of Ireland, and its annexation forever to the English crown. By the annexation of all Ireland to the English crown, I mean, that all the princes and petty sovereigns in Ireland agreed to become vassals of the English crown.—But what was the consequence of this? The same consequence was drawn, by the kings of England in this case, as had been drawn in the case of Wales after the conquest of Lewellyn, viz. that Ireland was become a part of the *property, possession* or *revenue* of the English crown, and that its authority over it was absolute, and without controul.——

This matter must be traced from step to step.—The first monument we find in English records, concerning Ireland, is a mere *rescriptum principis*, intituled *statutum hiberniæ de coheredibus*, 14, Hen. 3d, A. D. 1229.—In the old abridgment Tit. Homage, this is said not to be a statute.—Vid. Ruffheads statutes at large, V. 1. 15. Mr. Cay very properly observes, that it is not an act of parliament, vid. Barrington's observations on the statutes, p. 34.—In this rescript, the king informs certain milites (adventurers probably, in the conquest of Ireland, or their descendents) who had doubts how lands holden by knights service, descending to copartners, within age, should be divided, what is the law and custom in England with regard to this.

But the record itself shews it to be a royal rescript only.—*Rex dilecto et fideli suo gerardo fil' mauricii justil' suo Hiberniæ salutem.—Quia tales Milites de partibus Hiberniæ nuper, ad nos accedentes nobis ostenderunt, quod, &c. Et a nobis petierunt inde certiorari qualiter in regno nostro Angliæ, in casu consimili hactenus usitatum fit.* &c. He then goes on and certifies what the law in England was, and then concludes, *Et ideo vobis mandamus, quod predictas consuetudines in hoc casu, quas in regno nostro Angliæ habemus ut predictum est, in terra nostra Hiberniæ proclamari et firmiter teneri, fac,* &c.

Here again we find the king conducting, exactly as Ed. 1, did in Wales, after the conquest of Wales. Ireland had now been *annexed to the English crown* many years, yet parliament has not allowed to have obtained any jurisdiction over it, and Henry ordained laws for it by his sole and absolute authority, as Ed. 1 did by the statute of Wales. Another incontestible proof, that annexing a country to the crown of England, does not annex it to the realm, or subject it to parliament.—But we shall find innumerable proofs of this.

Another incontestable proof of this, is the *ordinatio pro statu Hiberniæ* made 17 Ed. 1, 1288.

This is an ordinance made by the king, by advice of his council, for the government of Ireland. Edward, by the grace of God, king of England, lord of Ireland, &c. to all those who shall see or hear these letters, doth send salutation.—He then goes on and ordains many regulations, among which the seventh chapter is "that none of our officers shall receive an original writ pleadable at the common law, but such as be sealed by the great seal of Ireland;"&c. this ordinance concludes "In witness whereof we have caused these our letters patent to be made." Dated at Nottingham 24 Nov. 17 year of our reign.

This law if it was passed in parliament was never considered to have any more binding force, than if it had been made only by the king. By Poyning's law indeed in the reign of H. 7 all precedent English statutes are made to bind in Ireland, and this among the rest, but untill Poyning's law, it had no validity as an act of parliament, and was never executed, but in the English pale, for, notwithstanding all that is said of the total compact, by H. 2, yet it did not extend much beyond the neighbourhood of Dublin, and the conqueror could not inforce his laws and regulations much further.

There is a note on the roll of 21 Ed. 1, in these words "*Et memorandum quod istud statutum de verbo ad verbum, missum fuit in Hyberniam, teste rege apud Wenyngton 14, die. Augusti anno regni sui vicesimo septimo: et mandatum fuit Johanni Wegan, justiciario Hiberniæ, quod predictum statutum, per Hiberniam, in locis quibus expedire viderit legi, et publice proclamari ac firmiter teneri faciat.*

"This note most fully proves, that the king by his sole authority, could introduce any English law; and will that authority be lessened by the concurrence of the two houses of parliament?—There is also an order of Charles the first, in the third year of his reign, to the treasurer & chancellors of the exchequer both of England and Ireland, by which they are directed to increase the duties upon Irish exports; which shews that it was then imagined, that the king would tax Ireland by his prerogative, without the intervention of parliament." vid. obs. on the statutes, p. 127.

Another instance to shew, that the king by his sole authority, whenever he pleased, made regulations for the government of Ireland, notwithstanding it was annexed and subject to the crown of England, is the *ordinatio facta pro statu terræ Hiberniæ*, in the 31. Ed. 1. in the appendix to Ruffhead's statutes, p. 37.—This is an extensive code of laws, made for the government of the Irish church and state, by the king alone, without lords or commons.—The kings "*volumus et firmiter precipimus*, governs and establishes all, and among other things, he introduces by the 18th chapter the English laws, for the regimen of persons of English extract, settled in Ireland.

The next appearance of Ireland, in the statutes of England, is in the 34. Ed. 3. c. 17.—This is no more than a concession of the king, to his lords and commons of England, in these words "*item* it is accorded that all the merchants as well aliens as denizens, may come into Ireland, with their merchandizes, and from thence freely to return, with their merchandizes and victuals, without fine or ransom to be taken of them, saving always to the king, his ancient customs and other duties."—And by chapter 18. "*Item*, that the people of England, as well religious as other, which have their heritage and possessions in Ireland, may bring their corn, beasts and victuals to the said land of Ireland, and from thence to re-carry their goods and merchandizes into England freely, without impeachment, paying their customs and their devoirs to the king."

All this is no more than an argument between the king and his English subjects, lords and commons, that there should be a free trade between the two islands, and that one of them should be free for strangers.—But is no colour of proof that the king could not govern Ireland without his English lords and commons.

The 1. H. 5. c. 8. All Irishmen and Irish clerks beggars, shall depart this realm before the first day of November, except graduates, serjeants &c. is explained by 1. H. 6. c. 3. which shews what sort of Irishmen only may come to dwell in England. It enacts that all persons born in Ireland shall depart out of the realm of England, except a few, and that Irishmen shall not be principals of any hall,—and that Irishmen shall bring testimonials from the lieutenant, or justice of Ireland, that they are of the kings obeysance.—By the 8. H. 6. c. 8. Irishmen reforting into the realm of England, shall put in surety for their good abearing."

Thus I have cursorily mentioned every law made by the king of England, whether in parliament or out of it, for the government of Ireland, from the conquest of it by Henry the 2d, in 1172, down to the reign of Henry the 7th, when an express contract was made between the two kingdoms, that Ireland should for the future be bound by English acts of parliament, in which it should be specially named.—This contract was made in 1495, so that upon the whole it appears, beyond dispute, that for more than 300 years, tho' a conquered country, and annexed to the crown of England; yet was so far from being annexed to or parcel of the realm, that the king's power was absolute there, and he might govern it without English parliament, whose advice, consent he was under no obligation to ask

The contract I here allude to, is Poyning's law, the history of which —Ireland revolted from England

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* Jonathan Sewall. † See declaratory Act, pa. 524. ‡ see page 695, 698. § see Grievances, pa. 971. ¶ See Common Law defined, pa. 964, Vol. 8, & pa. 691.

(4) See list of Grievances pa. 971.
(4) See Petition, page 656.
(5) See Index, under Congress Continental.
(6) Pitts see pa. 734.
(7) See Indexes under Pitt & Chatham.
(8) A mistake we consent, see pa. 591, Vol. 2 & page 667, 685.
(9) See Index, under Resolves.
(10) See Index, under Congress Provincial.
(11) See Index under Towns, County Congress Provincial, resolves, Counties giving instructions to their Representatives, &c.
(12) We celebrate 1776, when we declared, independency.
(13) The Revolution.
(14) See Index under Troops.
(15) See Indexes under Numbers.
(16) See Indexes, under Cessation of arms.
(17) See Index, under United States.

& See the Bill, pa. 721.

Yesterday the Schooner Hawke, Captain Andrews, *arrived at Marblehead from Falmouth, which he left (in Company with the Packet,) the 17th of February. Captain John Davis of this Town, who came Passenger in the above Schooner, has favoured us with a London Print of the 11th of February, from which we have taken the following important Advices, viz.*

LONDON, FEBRUARY 9.

The SPEECH *of the* LORD-MAYOR *on the Motion of Lord* North *for an Address to His Majesty against the Americans.*

Mr. SPEAKER,

THE business now before the House respecting America is of as great importance as was ever debated in Parliament. It comprehends almost every question relative to the common rights of mankind, almost every question of policy and legislation. I do not mean to enter into so vast, so well trodden a field. I will confine myself to the business before us. The Address now reported from the Committee of the whole House appears to me unfounded, rash and sanguinary, and most unjustly to draw the sword against America; but before Administration are suffered to plunge this nation into the horrors of a civil war, before they are permitted to force Englishmen to sheathe their swords in the bowels of their fellow-subjects, I hope this House will seriously weigh the original ground and cause of this unhappy dispute, and in time reflect whether justice is on our side. The assumed right of *taxation without the consent* of the subject is plainly the primary cause of the present quarrel. Have we, Sir, any right to tax the Americans? That is the question. The fundamental laws of human nature, and the principles of the English constitution, are equally repugnant to the claim. The very idea of property excludes the right of another's taking any thing from me without my consent, otherwise I cannot call it my own. What property have I in what another person can seize at his pleasure? If we can tax the Americans without their consent, they have no property, nothing which they can call their own; we might take their all. The words "Liberty and Property", so dear to an Englishman, so pleasing in our ears, would become mockery and insult to an American. The laws of society are professedly calculated to secure the property of each individual, of every subject of the state. The great principles of the constitution under which we live, likewise clearly determine this point. All subsidies to the Crown are grants from the Commons, free gifts from the People. Their full content is always expressed in the grant. Much has been said of the palatine of Chester, and the principality of Wales, and the period of their taxation; but, Sir, there is a more remarkable case in point, which alone would determine the question. If gentlemen will search the records in the Tower, they will find that the town of Calais in France, when it belonged to the Imperial Crown of these realms, was not taxed till it sent Representatives to Parliament. Two Burgesses from Calais actually sat and voted in this House. Then, and not till then, was Calais taxed. The writ out of Chancery, and the return to it, in the reign of Edward VI. with the names of the Burgesses, are still extant. I faithfully gave them to the public from attested copies.

But, Sir, it will be said, Is America then to enjoy the protection of Great-Britain, and to contribute nothing towards the support of that very state, which has so long given it protection and security, which has nursed it up to its present greatness? The Americans themselves have given the fullest answer to this objection in a manner not to be controverted, by their conduct through a long series of years, and by the most explicit declarations. Equally in words & actions, of the most unequivocal nature, they have demonstrated their love, their ardor, their strong filial piety towards the mother-country. They have always appeared ready not only to contribute towards the expences of their own government, but likewise to the wants and the necessities of this state, although perhaps they may not be over-fond of all the proud, expensive trappings of royalty. In the two last wars they far exceeded the cold line of prudence. With the most liberal hearts they gave you almost their all, and they fought gallantly by your side with equal valour against our and their enemy, against the common enemy of mankind, the ambitious and faithless French, whom we now fear and flatter. Our journals, Sir, will bear witness to the grateful sense we had of the important services of the Americans, and the great sums we voted to be repaid them for what they expended in the spirited expeditions, which they carried through with equal courage and conduct, sometimes without the least knowledge or participation on our part, will demonstrate the warm affection of their hearts to this country. But, Sir, the whole was the gift of freemen, of fellow-subjects, who feel that they are, and know that they have a right to be, as free as ourselves. What is their language now, when you are planning their destruction, when you are declaring them rebels? In the late petition of the General Congress to the King, they declare "they are ready and willing, as they ever have been, when constitutionally required, to demonstrate their loyalty to his Majesty, *by exerting their most strenuous efforts in granting supplies and raising forces.*" This is the unanimous resolution of a Congress composed of deputies from the several Colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, the Counties of Newcastle, Kent, and Sussex on Delaware, Maryland, Virginia, and the two Carolinas. I have heard, Sir, of a plan of accommodation, which I believe would reconcile all differences. But, alas! Sir, it did not come from any servant of the Crown. It comes from the Noble Lord for whom this country has the most essential obligations, and is so much indebted for its late splendour and glory. It is to assemble another Congress in the spring, under the authority of the Parliament of Great Britain; the Deputies of the several Colonies to meet together, and to be jointly empowered to regulate the various quotas to be paid by each province to the general treasury of the whole empire. I would in addition to that plan propose, that a regulation similar to what actually takes place with respect to Scotland be adopted as to America. The proportion of each colony might be settled according to the land tax in England, at one, two, or more shillings in the pound. I am not deep politician enough to know what the proportions should be of each province, and they will vary greatly in half a century, but I speak of their quota being always to be regulated according to the land tax of this country. The very flourishing Colonies of the Massachusetts Bay, Virginia and South Carolina, for instance, should contribute more, the smaller and poorer Colonies of New-Hampshire and New-Jersey less; but, Sir, I insist not a single shilling can be taken without their consent; and after this day's debate, should the Address be carried, I greatly fear every idea of a reconciliation will be utterly impracticable.

The Americans, Sir, have of late both within doors and without been treated with the greatest injustice, and even a wanton degree of cruelty. An honourable gentleman has just told us that they complain of the *Navigation Act*, and insist on its repeal. We have authentic evidence to the contrary. In the resolutions of the Congress they repeatedly desire to be put only on the footing they were *at the close of the late war*, "as to the system of statutes and regulations;" not among the various Acts, of which they desire the repeal, do they once mention either the *Navigation* or the *Declaratory Act*. It is said likewise, they wish to throw off the supremacy of this country. Many express resolutions, both of the General Congress, and the Provincial Congresses, are the fullest evidence of the sense which the Americans entertain of their obedience and duty to this country. They are too numerous to be quoted. Their full claim, as stated by themselves, is so well worded, I beg to read it to the House from their petition to the King. *We ask but for Peace, Liberty and Safety.* Surely, Sir, no request was ever more reasonable, no claim better founded. *We wish not a diminution of the prerogatives, nor do we solicit a grant of any new right in our favour. Your royal authority over us, and our connection with Great Britain, we shall always carefully and zealously endeavour to support and maintain.* While Administration are endeavouring to tear asunder those ties, which have so long and happily bound us together.

The Address, Sir, mentions the particular province of Massachusetts-Bay as in a state of actual rebellion, and the other provinces are considered as aiding and abetting them. Much has been said by some learned gentlemen to involve them in all the consequences of a declared rebellion, and to encourage our officers and troops to act against them as against rebels. Whether their present state is that of rebellion, or of a fit and proper resistance to unlawful acts of power, to our attempts to rob them of their property and liberties, as they imagine, I do not determine. This I know, a successful resistance is a *Revolution*, not a *Rebellion*. Who can tell, Sir, whether in consequence of this very day's violent and mad Address to his Majesty, the scabbard may not be thrown away by them as well as by us, and should success attend them, whether in a few years the Americans may not celebrate the glorious æra of 1775, as we do that of 1688? Success crowned the generous efforts of our forefathers for freedom, else they had died on the scaffold as traitors and rebels, and the period of our history, which does us the most honour, would have been decried a *Rebellion* against lawful authority, not a resistance authorised by all the laws of God & man, not the expulsion of a tyrant.

The policy, Sir, of this measure, I can no more comprehend, than I can acknowledge the justice of it. Is your force adequate to the attempt? I am satisfied it is not. What are your armies, and how are they to be recruited? Do you recollect that the single province of Massachusetts-Bay has at this moment above 30 000 men, well trained and disciplined, and can bring near 90 000 into the field? They will do it, when they are fighting for their liberties. You will not be able to conquer and keep even that single province. The noble Lord proposes only 10,000 of our troops to be there, including the four regiments now going from Ireland, and he acknowledges very truly that the army cannot enforce the late Acts of Parliament. Why then is it sent? Boston indeed you may lay in ashes, or it may be made a strong garrison, but the province will be lost to you. Boston will be like Gibraltar. You will hold in the province of Massachusetts-Bay, as you do in Spain, a single town, the whole country in the power and possession of the enemy. Your fleets and armies may keep a few towns on the coast, for some at least, Boston, New-York, St. Augustine. The vast continent of America will be lost to you. A few fortresses on the coast and some sea-ports only you will keep, all the back settlements will be independent of you, and will thrive in the rapid progression of your violences and unjust exactions on the towns. The ancient story of the Carthagenian hide will be verified as to you. Where you tread, it will be kept down, but it will rise the more in all the other parts. Where your fleets and armies are stationed, the possession will be your's, but all the rest will be lost. I fear from this day in the great scale of empire you will decline, and the Americans will rise to independence, to power, to all the greatness of the most renowned states, for they build on the solid basis of public liberty.

Sir, this Address is founded in injustice and cruelty. It is equally contrary to the sound maxims of true policy, and to the unerring rule of natural right. The Americans will defend their property and their liberties with the spirit of freemen, with the spirit I hope we should. They will sooner declare themselves independent, and risk every consequence of such a contest, than submit to the yoke which Administration is preparing for them. An Address of so sanguinary a nature cannot fail of driving them to despair. They will see that you are preparing not only to draw the sword, but to burn the scabbard. You are declaring them rebels. Every idea of a reconciliation will vanish. They will pursue the most vigorous measures in their own defence. The whole Continent will be dismembered from Great-Britain, and *the wide arch of the raised empire fall.* But I hope the just vengeance of the people will overtake the author of these pernicious counsels, and the loss of the first province to the empire be speedily followed by the loss of the heads of those Ministers who advised these wicked and fatal measures.

LONDON, Feb 11.

The Upper Assembly yesterday went through the land tax and mariae mutiny bills, without Amendments.

Reported his Majesty's answer to the address of thanks, for communicating the American papers, &c.

Yesteray the earl of Rochford presented the Upper Assembly a message from his Majesty under his sign-manual, the purport of which was, "That in consequence of the Address he had received, he was determined to take the most speedy & effectual measures for supporting the just rights of the Crown and the two Houses of Parliament, in which undertaking he informed them, an addition to his forces by land and sea would be found necessary, not doubting but their Lordships would readily concur in such measures as the exigences of the case should require.

In consequence of the above message, their Lordships agreed to an humble Address to be presented to his Majesty, humbly to assure his Majesty, that they will, with the utmost zeal and chearfulness, concur with his Majesty in such measures as the present exigency may require.

Mr. Vice Chamberlain presented his Majesty's Answer to the Address of both Houses of Parliament, which was as follows:

"*My Lords and Gentlemen,*

"I thank you for this very dutiful and loyal Address, and for the affectionate and solemn assurances you give me of your support in maintaining the just rights of my Crown, and of the two Houses of Parliament; and you may depend upon my taking the most speedy and effectual measures for enforcing due obedience to the laws and the authority of the Supreme Legislature.

"Whenever any of my colonies shall make a proper and dutiful application, I shall be ready to concur with you in affording them every just and reasonable indulgence; and it is my ardent wish, that this disposition may have a happy effect, on the temper and conduct of my subjects in America."

His Majesty's Answer was refered to the committee of Supply, which was adjourned to Monday.

The House went into a committee on the American Papers, and Lord North moved for leave to bring in a bill for preventing the Americans from fishing at Newfoundland and St. John's, and for prohibiting them from carrying on any commerce, either by way of export or import, but with Great-Britain, Ireland, and the West-Indies. This produced a very warm debate, in which Mr. Attorney and Mr. Solicitor General, Mr Stanly, and Mr. Cornwall, bore a part on one side, and Mr. Dunning, Mr. Recorder of London, and Mr. Fox on the other.

The principal arguments used in favour of the proposed augmentation, were as follows: That the House, having justly resolved the contumacy and defiance of legislative power in the Americans to be rebellious, and having addressed his Majesty that he would be pleased to take such measures as he should find necessary for enforcing the laws, it was, upon a mature consideration, determined, that an augmentation of 2000 seamen should be made. That number, it was apprehended, would be sufficient for the purpose of restraining the commerce of the New-Englanders, and for preventing the clandestine trade which some were fearful would be carried into practice with foreign nations; that these objects were very essential ones, and such as must be provided for; and at the same time it was also inexpedient to weaken the other standing services of the navy, which were at present amply provided for, and were meant to be left upon too respectable a footing to leave the least apprehensions of any attack from our neighbours; that it was designed to station a proper number of Frigates in the most beneficial manner for commanding the whole coast of North-America; and it was to be hoped that when the Colonists found that this country was fully determined to exert the utmost of her force in order to secure obedience to the Legislature, that they would then quit their present delusion, and return to their duty.

In reply, it was contended, that the whole conduct of Administration, from the beginning of this affair, was full of blindness and incapacity: that they had been for several sessions called upon for a reduction of the navy estimate: that while there was no use in the enormous establishment, so long was it kept up; but that as soon as, upon their own ideas and principles, there was reason to foresee a want, just then we found it reduced, not essentially and effectually reduced, but merely by way of a paltry expedient to stop the mouth of opposition.—Why was the navy reduced at a time that the Ministry ought to have foreseen the want that would probably arise? Every dispatch from America changes the plan of Government; the hue of the Ministry changes, like the camelion, with the objects that approach it. The aug-

(1) See John Wilkes Esq. (2) See address, pa. 710. (3) See list of Grievances, pa. 971. (4) See declaratory Act, pa. 524, & See Act pa. 735, Vol. 1 — Molasses Act, pa. 9, Vol. 2. — See the Pillars of the Constitution, viz. Magna Charta, pa. 990-1060 — Declaration of right, pa. 816 — Bill of rights, pa. 1053, Vol. 2. (5) See L.d Camdens Speech, pa. 10, Vol. 2. (1) See pitts Speech, pa. 403, Vol. 1.
(2) See indexes under resolves, Representation, Council, Towns, & Congress. (3) See merits of Massachusetts Bay

mentation now asked is but an experiment; they design it to try what it will do;—they foresee no effects; and instead of governing events by the penetration of a great statesman, they wait with anxiety to know the state of their trial: full of boasts at the moment of asking this House for the money of the subject, you would then suppose them looking into the most distant events, and predicting nothing but the clearest success. Next sessions—perhaps next month, they will be of another mind, and having changed their tone with the advices they receive, will come for three times 2000 men, perhaps five times as many.—That the conduct of the land forces has been upon the same principles: At first three regiments as a garrison in Boston were to do all the business—were to carry the acts into execution, and prevent all future application to Parliament—presently that hopeful plan gave way for another; five regiments were found necessary—the next dispatches made seven necessary, and thus we found the army run up to sixteen regiments, but are assured that General Gage will then be perfectly safe; by and by we shall find the fears of Administration speak a different language—we shall gradually hear of 20, of 30, and of 40,000 men. The conduct of Administration was not only glaringly inconsistent and absurd, when examined upon their own principles, but unhappily those principles themselves were to the last degree fatal to the most important interests of this country. In what are these additional seamen to be employed? to destroy and prevent the fishing trade of New-England, and thereby throw into the hands of France the employment of 20,000 sailors and fishermen. The fishery of Boston, &c. will naturally and inevitably go to the French—you cannot take it up—the towns in Britain that carry it on, it is well known, cannot succeed them. That the Government proceeded as if they had nothing to fear, and as if they were quite at leisure for schemes of the greatest magnitude. Not content with governing all the internal part of America by arms, at a time when they cannot yet go beyond the garrisoning a single town, they attack the American clandestine trade; and finding themselves unable to retrench instead of annihilating it, they give themselves much larger work, by declaring all American commerce contraband; and thereby enlarging infinitely that work, which when small they could not execute. That while there was so little foresight, so little provision for future events; while the means taken to execute the greatest works were so inadequate to the smallest ends, and while the whole was under the guidance of imbecillity and imprudence, negligence and incapacity, nothing was to be expected but the most miserable attendants on the most horrible civil convulsions, both at home, as well as in America.

The question was put at eleven o'clock, and the House divided, ayes 261, noes 85.

The resolution of the committee was agreed to without a division, and a bill ordered to be bro't in.

We hear, that previous to the commencement of any hostilities in America, a manifesto will be distributed amongst all the provinces, setting forth at large the claims of Government on one side, and the expected concessions of America on the other.

A letter from Kilkenny in Ireland, dated the 1st instant, says. "Orders are come down from Government for the 63d regiment of foot, quartered here, and at Cathel, Dungarvan, &c. to be in readiness to embark at Corke on the 1st of March next, together with the 17th of light dragoons, and 35th & 49th of foot, in order to reinforce the troops under General Gage at Boston."

The Otter sloop, of 18 guns, Captain Squire, now at Portsmouth, is appointed to carry money from Boston, for the payment of the troops.

BOSTON, *April* 3.

AT a Meeting of the Freeholders and other Inhabitants of the Town of Boston, duly qualified and legally warned in public Town-Meeting, assembled at Faneuil-Hall, on Tuesday the 28th Day of March, A. D. 1775,—The Selectmen laid before the Inhabitants the present state of the Small Pox in this Town, whereby it appeared, that there are on board the Hospital-Ship in this Harbour, thirty eight Persons with the Small Pox, three of whom were sent on board this day. At the Hospital at West Boston, five Persons with the Distemper; two of them were sent from a Chamber in Mr. Ranks's House at the Head of Cross-Street, occupied by a Soldier; a Woman from the Green Dragon Tavern, at the South Part of the Town; a Man from his Dwelling near Dr. Byles's Meeting-House, and another Man from the Royal Exchange Tavern, in Long-Street; that Mr. Ranks's Wife at his House at the Head of Cross-Street, was taken with the Distemper, where Guards are placed to prevent a Communication of the Infection; and that the Hospital-Ship was this Forenoon, removed to some Distance from the Wharf.——The Town having duly considered the foregoing, and all Circumstances relative to the Small-Pox among us, and being of Opinion, that the Probability was in Favor of the Distemper's not spreading,

VOTED, *Nem. Con.* That the Selectmen of this Town be desired to continue the same Vigilance they have hitherto shewn, to prevent the spreading of the Small-Pox, in this Place. Also,

VOTED, *Nem. Con.* That the Selectmen be desired to see that the Law, relative to the concealing and spreading of infectious Distempers, be put into Execution, against any Persons, who shall make Attempts of that Nature, by Inoculation, or in any other Way.—And that no one may plead Ignorance of said Law: It was further voted, That the Town-Clerk be directed to publish such Paragraph or Paragraphs of the Law, which affixes the Penalty, for concealing and spreading infectious Distempers, also the Proceedings of this Meeting, relative to the Small-Pox. Attest,

WILLIAM COOPER, Town-Clerk.

Extracts from an Act of this Province, to prevent the spreading of the Small-Pox, *and other infectious Sickness, and to prevent concealing the same.*

And be it further enacted, That from and after the Publication of this Act, when any Person is visited with the Small Pox in any Town of this Province, immediately upon Knowledge thereof, the Head of the Family in which such Person is sick, shall acquaint the Select-Men of the Town therewith, and also hang out on a Pole at least six Feet in length, a red Cloth not under one Yard long and half a Yard wide, from the most publick Part of the infected House, the said Sign thus to continue 'till the House in the Judgment of the Select-Men is throughly aired and cleansed, upon Penalty of forfeiting and paying the Sum of *fifty Pounds* for each Offence, one Half for the Informer, and the other Half for the Use of the Poor of the Town where such Offence shall be committed, to be sued for and recovered by the Treasurer of the Town or the Informer, by Action, Bill, Plaint or Information in any of his Majesty's Courts of Record, and if the Party be unable or refuses to pay such Fine, then to be punished by Whipping, not exceeding thirty Stripes.

And be it further enacted, That when the Small-Pox is in any Town of this Province, and any Person in said Town (not having had the same) shall then be taken sick, and any pustulous Eruptions appear, the Head of that Family wherein such Person is, shall immediately acquaint one or more of the Select-Men of the Town therewith, (that so the said Select Men may give Directions therein) upon Penalty of forfeiting the Sum of *Fifty Pounds*, to be recovered and applied for the Uses aforesaid, the whole Charge to be born by the Person thus visited, if able to defray the same, but if in the Judgment of the Select-Men of the Town such Person is indigent and unable, then the said Charge to be born by the Town whereto he or she belongs.

Provided always, That this Act shall not be understood to extend to Persons in any Town where more than twenty Families are known to be visited with the Small-Pox at one and the same Time.

At a Provincial Congress, held at Savannah, in Georgia, the 23d of January, Noble Wimberly Jones, Archibald Bulloch, and John Houston, Esqrs; were chosen Delegates to represent that province, at the next General Congress.

Thursday the 27th of this Instant is appointed by the Authority of New Hampshire to be observed as a Day of publick Fasting and Prayer thro'out that Province.

DIED,] Mrs. Clarke, Widow of the late Dr. Clarke.—Mr. Samuel Vans.—Mrs. Sarah Mills, Widow, aged 71. Her Funeral is to be on Wednesday next from her Son's in Marlborough-Street, at which Time her Friends are desired to attend.

At Dorchester, last Thursday, the Rev. Mr. Jonathan Bowman, aged 71.—His Funeral is to be To-morrow Afternoon, at 3 o'Clock.

At Sandwich, Mrs. Allen, Consort of Capt. Moses Allen.

Medford, 21st March 1775. This Day the Company on the Alarm List met together in order to embody regularly into a Military Company, and was led to the Choice of Officers for said Company by Mr. Joshua Symonds; and the following Officers were chosen by a great Majority, viz. Capt. Ebenezer Brooks was chosen Captain, Mr. Richard Hall 1st Lieutenant, and Mr. John Fulton 2d Lieutenant.

This Day Published.

Extract of a letter from Savannah (in Georgia) *dated February* 17, 1775.

"A number of the inhabitants chosen from the several parishes and districts, to the number of 50, met in Savannah the 18th ult. in Provincial Congress, and among other matters, took into consideration the proceedings of the Continental Congress, which they in general approved of, and acceeded to, with some alterations in regard to exports and imports, that is, they fixed the time of imports to cease on all goods that should be shipped after the 15th day of next month, and all exports (rice excepted) from and after the 1st day of December next, this was done in order to give the merchants nearly the same time they had in the other provinces (where they associated sooner) to prepare and order their concerns. Accordingly the dutiable articles, Tea, &c. were not to be imported at all, from the time the Congress sat. The association with the alterations aforementioned, were signed by all the Delegates, in behalf of themselves and constituents.—The Provincial Congress also chose three Deputies to represent this province, in the grand Continental Congress, to be held at Philadelphia in May next, and voted 600l. sterling to defray their expences, their names are N. W. Jones, Archibald Bulloch, and John Houstoun, Esqrs."

Committee Chamber, Boston, March 31. 1775.

INFORMATION having been given to the Committee of Inspection of this Town, that Mr. Simon Tufts of this Town, Merchant, had broke the Continental Association by selling Tea to Thomas Lillie of Marblehead, on the 25th Day of March Current. The Committee made Enquiry into the Truth of said Report, and after a strict Examination of said Tufts of three credible Persons, could obtain no other Account, but the following, which we have caused to be published under Oath for the Satisfaction of the Publick, agreeable to the Design of our Appointment. (3)

WHEREAS an Advertisement appear'd in the Essex Gazette of the 28th Instant, sign'd THOMAS LILLY, informing that he purchas'd a small Quantity of Tea of me the Subscriber—For the Justification of my Character and Satisfaction of the Public, I think proper to give the following State of the Affair, and do solemnly declare that the said Lilly had the same without my knowledge or privity of the Person who attends at my Store, and which he has since confess'd was no more than a Pound and a Quarter.—I have purchas'd no Tea since the First of March, what I Bought was so immediately connected with an Article absolutely Necessary for the Country to be possess'd of, and which they are in actual possession of, thought it just liable to Purchase it with the Incumbrance; and let my Friends whose Advice I had taken partake with me therein, esteeming the Friendship of my Countrymen of more Consequence than any Benefit that could accrue to me thereby.—I had no Intention from the Beginning of militating with the Association of the Continental Congress, and declare I will not buy or sell any more of said Article till a general Permission therefor takes place: If by the above imprudent Step with Lilly any Offence is given to my Countrymen, am sorry therefor; and hope for a Restoration to their Favour and Confidence.

Boston, 30th March 1775 SIMON TUFTS.

Suffolk, ss. } THEN the above-named Mr. *Simon Tufts* made Oath to the Truth of the above-written Declaration subscribed by him.

Boston, April 1. 1775. } Before me,

BELCHER NOYES, Justice o'Peace.

WANTED TO CHARTER,

Two good Vessels, burthen from 130, to 160 Tons, to Load at Charlestown, South-Carolina, with Rice, for Cowes, and a Market, or any Port in Great-Britain—Any Person inclining to Charter such Vessels, may by applying to the Printers hereof be informed of the Person who will Contract for the same.

Boston, March 29, 1775.

The Commissioners appointed by the Hon. *Samuel Danforth*, Esq; Judge of Probate for the County of Middlesex, to receive and examine all Claims of the Creditors to the Estate of *Margaret Vinton*, late of Waltham, Widow, deceased, represented Insolvent, and Six Months being allowed for bringing in said Claims. Give Notice that they shall attend said Service at the British Coffee-House in King-Street, Boston, on the first Thursday in this and the Five following Months, from 6 to 9 o'Clock, P. M. Boston April 3d, 1775.

PUBLIC AUCTION,

TO BE SOLD,

By *BENJAMIN CHURCH*,

At his usual Place of Sale,

On THURSDAY Evening next,

A general Assortment of EUROPEAN ARTICLES, viz.

BROAD CLOTHS, Kerseys, Forest Cloths, Cambletts, Irish Linens, some Silks, Men's Hose, a Parcel of Cutlery, Handkerchiefs, &c.—Some House Furniture, viz. Beds, Tables, Easy Chairs, and others, Wearing Apparel, &c. &c. &c.

To begin at SIX o'Clock in the Evening.

To be Sold on Mr. *John Preston*'s Wharf,

Choice Blacksmiths Coals,

at Nine Dollars per the single Chaldron, and less by the Quantity.—Also, one excellent Marble Slabb.

Donations receiv'd since our last. (4)

From MASSACHUSETTS-BAY.

Newbury, 1st Parish,	Cash,	£.46	4	2
Marlborough, 1 pr Shoes,	Cash,	32	18	2
3 qr. Beef, 24 Bush. Rye, 5½ Bushel Indian Meal, 80lb. Cheese, 1½ Bush. Malt.				
Tisbury,	Cash,	12	0	0
Scituate, South Parish,	Cash,	6	15	11½
Accushnet River, Dartmouth,	Cash,	50	17	3
Roxbury, 3d Parish,	Cash,	20	4	7
511lb. Pork, 5½ Cord Wood, 18 Bush. Potatoes, 6 Doz. Cabages, Bush. Turnips,	*Norton*, Cash,	7	2	10
RHODE-ISLAND.				
Providence,	Cash,	51	0	0
NEW JERSEY.				
Elizabeth-Town & Newark,	Cash,	75	0	0 (4)

Burials in the Town of BOSTON, since our last.

Thirteen Whites. No Blacks

And Four from the Army and Navy.

Baptiz'd in the several Churches, Three

High Water at BOSTON, *for the present Week*

Monday, 50 min. aft. 1 — Friday, 0 min. after 5
Tuesday, 38 min. aft. 2 — Saturday, 45 min. aft. 5
Wednesday 24 m. aft. 3 — Lord's Day, 30 m. 6
Thursday, 12 min. aft. 4 — Full Moon 15h 5 Min.

(3) See the Committee, page 629

(4) See Index, under donations.

* See Index, under Troops. ‖ See the Acts, in list of Grievances, pa. 971. † See list of Grievances, pa. 971. See Index, under Congress Continental.

§ See restraining Act pa. 721. (1) Boston. ∆ See declaratory Act pa. 524, & ∨ See pa. 606. (2) 3d Sea Act pa. 735. vol. 1. — molasses Act pa. 9. Vol. 4.

red to the partizans of the house of York, and Sir Edward Poyning was sent over about the year 1495, by king Henry the 7th, with very extensive powers, *over the civil as well as military administration.* On his arrival he made severe inquisition about the disaffected, and in particular attacked the earls of Dimond and Kildare.—The first stood upon the defensive and eluded the power of the deputy: but Kildare was sent prisoner to England: *not to be executed it seems, nor to be tried upon the statute of H. 8*[4] but to be dismissed as he actually was, to his own country, with marks of the king's esteem and favour; Henry judging that, at such a juncture, he should gain more by clemency and indulgence, than by rigour and severity.—In this opinion he sent a commissioner to Ireland, with a formal amnesty, in favour of Desmond and all his adherents, whom the tools of his ministers did not fail to call traitors and rebels with as good a grace and as much benevolence, as Massachusettensis discovers.

Let me stop here and enquire, whether lord North has more wisdom than Henry the 7th, or whether he took the hint from the history of Poyning's, of sending General Gage, with his civil and military powers? if he did, he certainly did not imitate Henry, in his bluttering menaces, against certain "ringleaders and forerunners."

While Poyning resided in Ireland, he called a parliament, which is famous in history for the acts which it passed in favour of England, and Englishmen settled in Ireland. By these, which are still called Poyning's laws, all the former laws of England, were made to be of force in Ireland, and no bill can be introduced into the Irish parliament, unless it previously receive the sanction of the English privy council; and by a construction if not by the express words of these laws, Ireland is still said to be bound by English statutes in which it is specially named.—Here then let Massachusettensis pause and observe the original of the notion that countries might be bound by acts of parliament, if "specially named," tho' without the realm.—Let him observe too, that this notion is grounded entirely on the voluntary act, the free consent of the Irish nation, and an act of an Irish parliament, called Poyning's law.—Let me ask him, has any colony in America ever made a Poyning's act?—have they ever consented to be bound by acts of parliament, if specially named?—have they ever acquiesced in, or implicitly consented to any acts of parliament, but such as are *bona fide* made for the regulation of trade.—This idea of binding countries without the realm, by "specially naming" them, is not an idea taken from the common law. There was no such principle, rule, or maxim, in that law,—it must be by statute law then, or none. In the case of Wales and Ireland, it was introduced by solemn compact, and established by statutes, to which the Welch and Irish were parties, and expressly consented.—But in the case of America there is no such statute, and therefore Americans are bound by statutes in which they are "named," no more than by those in which they are not.——

The principle upon which Ireland is bound by English statutes in which it is named, is this, that being a conquered country, and subject to the mere will of the king, it voluntarily consented to be so bound.—This appears in part already, and more fully in 1. Blackstone, 99. 100, &c.—who tells us, "that Ireland is a distinct, tho' a dependent, subordinate kingdom."—But how came it dependant and subordinate? He tells us "that king John, in the twelfth year of his reign, after the conquest, went into Ireland, carried over with him many able sages of the law; and there *by his letters patent, in right of the dominion of conquest*, is said to have ordained & established, that Ireland should be governed by the laws of England: which letters patent Sir Edward Coke apprehends to have been there confirmed in parliament." "By the same rule that no laws made in England, between king John's time and Poyning's law, were then binding in Ireland, it follows that no acts of the English parliament, made since the tenth of Henry 7th, do now bind the people of Ireland, unless specially named or included under general words. And on the other hand it is equally clear, that where Ireland is particularly named, or is included under general words, they are bound by such acts of parliament; for it follows from the very nature and constitution of a dependent state: dependence being very little else but an obligation to conform to the will or law of that superior person or state, upon which the inferior depends. The original and true ground of this superiority in the present case, is what we usually call, tho' somewhat improperly, *the right of conquest*: a right allowed by the law of nations, if not by that of nature; but which in reason and civil policy can mean nothing more, than that, in order to put an end to hostilities, *a compact* is either expressly or tacitly made between the conqueror and conquered, that if they will acknowledge the *victor* for their *master*, he will treat them for the future as subjects, and not as enemies."——

These are the principles upon which the dependence and subordination of Ireland are founded.—Whether they are just or not, is not necessary for us to enquire.—The Irish nation, have never been entirely convinced of their justice; have been ever discontented with them, and ripe and ready to dispute them. Their reasonings have ever been answered, by the *ratio ultima & penultima* of the tories, and it requires to this hour, no less than a standing army of 12000 men to confute them. As little as the British parliament exercises the right, which it claims of binding them by statutes, and altho' it never once attempted or presumed to tax them, and altho' they are so greatly inferior to Britain in power, and so near in situation.

But thus much is certain, that none of these principles take place, in the case of America. She never was conquered by Britain. She never consented to be a state dependent upon, or subordinate to the British parliament, excepting only in the regulation of her commerce: and therefore the reasonings of British writers, upon the case of Ireland, are not applicable to the case of the colonies, any more than those upon the case of Wales.

Thus have I rambled after Massachusettensis through Wales and Ireland: but have not reached my journey's end—I have yet to travel through Jersey, Guernsey, and I know not where. At present I shall conclude with one observation.—In the history of Ireland and Wales, though undoubtedly conquered countries, and under the very eye and arm of England, the extreme difficulty, the utter impracticability, of governing a people who have any sense, spirit, or love of liberty, without incorporating them into the state, or allowing them some other way, equal priviledges may be clearly seen. Wales was forever revolting for a thousand years, untill it obtained that mighty blessing.—Ireland, has been frequently revolting, altho' the most essential power of a supreme legislature, that of imposing taxes has never been exercised over them, and it cannot now be kept under, but by force, and it would revolt forever, if parliament should tax them.—What kind of an opinion then must the ministry entertain of America.—When her distance is so great, her territory so extensive, her commerce so important, not a conquered country, but dearly purchased and defended? When her trade is so essential to the navy, the commerce, the revenue, the very existence of Great-Britain, as an independent state? They must think America inhabited by three million fools and cowards.—

NOVANGLUS.

(To be continued) Feb. 1769.

Whereas the Co-partnership of Newell *and Hichborn is untill be mutually Dissolved the 1st of April next: This is to desire all Persons who are indebted to them to make speedy Payment; and all those who have any Demands on said Company, to call and receive their Dues.*—N. B. *Said Hichborn carries on his business at Salem, and has a few Barrels Turpentine and Tar to sell in Boston, at his Store near Draw-bridge.*

The South-Carolina Provincial Congress have made choice of their former Delegates, viz. H. Middleton, T. Lynch, C. Gadsen, J. Rutledge, and E. Rutledge, Esqrs. to attend the Continental Congress in May next.

by **Lee and Jones,**

At their Store near the Swing Bridge, Where they also have for Sale,

A Beautiful Variety of *Brocades* and *flower'd Silks, India Taffaties* and *Grograms, black Paduasoys* and *ormozeens, Muslins—Cream colour'd and Glass Ware per Crate*, blue and white *China Cups and Saucers, Kippen's Snuff, Paper Hangings*, low priced *Watches, Gold and Silver Lace* and *Buttons*.——ALSO, *Nails of all Sorts*, to be delivered at *Salem or Marblehead*.

TO BE LET,

(for a Term not exceeding Four Years,)

A large and convenient Tenement,

with a commodious Shop, a good Yard and Pump: near the Mill-Bridge, and fronting the Lane leading to Union-Street.

N. B. It may be accommodated to two Families.

Enquire of John Barret, and Sons, at their Store adjoining to said Tenement.

New-England RUM.

To be Sold by JOSEPH SPRAGUE, at his Distill House near the North Bridge in Salem, a large Quantity of choice *New-England* RUM, cheap for Cash, or Molasses.

All Persons that are Indebted to the Estate of Mr. *Francis Johonnot*, Distiller, deceased, are desired to pay their respective Balances to *Mary Johonnot*, Administratrix on said Estate.—And those to whom the Estate is Indebted, are requested to render their Accounts in order for Payment.

N.B. The Distilling-Business carried on as usual, where She begs the favour of former Customers and others.

All Persons that have any Accounts open with the Estate of *Ebenezer Howard*, late of Braintree, Yeoman, deceas'd, are desired to settle the same with *Thomas Newcomb*, of said Braintree, Administrator to said Estate, as soon as may be.

All Persons who have any Demands on, or are indebted to the Estate of PETER CHARDON, Esq. of Boston, lately deceas'd, are desir'd to apply as soon

The Assembly of the lower counties of Newcastle, Kent & Sussex on Delaware have approved of the proceedings of the late Congress held at Philadelphia, and have chosen the Hon. Cæsar Rodney, Esqr. Thomas M'Kean, and George Read Esqr. to represent that Government at the American Congress proposed to be held at at Philadelphia, on the 10th day of May next

NB The above is taken from Fleets Newspaper April 3, 1775.

taken from the Spy March 9, 1775

† Jonathan Sewall. ‡ See Index, under Gage. ? See declaratory Act, pa. 524. ? We consented to the Acts for regulating trade, see pa. 591, Vol. 3. & pa. 667, 685. 1228. ¶ See pa. 695, &c. (1) See list of Grievances, pa. 971. (2) See merits of Massachusetts Bay, pa. 557.